

1 STERLING J. STIRES (Bar No. CA 199218)  
E-mail: sstires@hwb-law.com  
2 JEFFREY J. WALLER  
(Admission *pro hac vice* pending)  
E-mail: Jwaller@hwb-law.com  
3 HOLMES WEDDLE & BARCOTT  
4 501 West Broadway, Suite 2060  
San Diego, CA 92101  
5 Telephone: (619) 358-9987  
Facsimile: (619) 487-9551

6 *Attorneys for Plaintiff*  
7 AMERICAN MARINE CORPORATION  
dba AMERICAN HYPERBARIC CENTER

8 ADAM PINES (Bar No. CA 172374)  
E-mail: apines@manatt.com  
9 JUSTIN JOHNSON (Bar No. CA 252175)  
E-mail: jjohnson@manatt.com  
10 MANATT, PHELPS & PHILLIPS, LLP  
11 11355 West Olympic Boulevard  
Los Angeles, CA 90064-1614  
12 Telephone: (310) 312-4000  
Facsimile: (310) 914-5820

13 *Attorneys for Defendant*  
14 CALIFORNIA PHYSICIANS' SERVICE  
dba BLUE SHIELD OF CALIFORNIA

15  
16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18

19 AMERICAN MARINE  
CORPORATION d/b/a/ AMERICAN  
20 HYPERBARIC CENTER,

21 Plaintiff,

22 v.

23 BLUE SHIELD OF CALIFORNIA,

24 Defendant.  
25  
26  
27  
28

Case No. C 11-00636 WHA

Filed: August 23, 2010  
Judge: Hon. William H. Alsup

**JOINT CASE MANAGEMENT  
STATEMENT AND NOTICE OF  
SETTLEMENT**

**Initial Case Management Conference:**

Date: May 26, 2011  
Time: 3:00 p.m.  
Courtroom: 9

**JOINT CASE MANAGEMENT STATEMENT AND NOTICE OF  
SETTLEMENT**

Plaintiff American Marine Corporation dba American Hyperbaric Center (“Plaintiff”) and defendant California Physicians’ Service dba Blue Shield of California (“Blue Shield”) hereby submit their joint case management statement and notice of settlement.

**A. Jurisdiction and Service**

This Court has subject matter jurisdiction over this action because it is a civil action between a corporate plaintiff having its place of incorporation and principal place of business in Alaska and a corporate defendant having its place of incorporation and principal place of business in California, with more than \$75,000 in dispute.

The parties have agreed on the terms of a complete settlement of this action. They expect the written settlement agreement to be signed this week. A stipulation for dismissal of this action will be filed as soon as the settlement payment is made, which is expected to occur prior to the end of this month.

Accordingly, the parties respectfully request that the May 26 scheduling conference be continued to June 16, by which time they expect the action to have been dismissed.

HOLMES WEDDLE & BARCOTT  
STERLING J. STIRES  
JEFFREY J. WALLER

Dated: May 17, 2011

By: s/ Sterling J. Stires

Sterling J. Stires  
*Attorneys for Plaintiff*  
AMERICAN MARINE CORPORATION  
dba AMERICAN HYPERBARIC CENTER

MANATT, PHELPS & PHILLIPS, LLP  
ADAM PINES  
JUSTIN JOHNSON

Dated: May 17, 2011

By: s/ Adam Pines

Adam Pines  
*Attorneys for Defendant*  
CALIFORNIA PHYSICIANS' SERVICE,  
dba BLUE SHIELD OF CALIFORNIA

*Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures, the filing party hereby attests that concurrence in the filing of this document has been obtained.*

300255584.1